

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LINDA D. SAVIDGE,)
) CASE NO. C10-2020-RAJ
Plaintiff,)
)
v.)
) REPORT AND RECOMMENDATION
MICHAEL ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)
_____)

Plaintiff brought this action to seek judicial review of the denial of her application for Disability Insurance Benefits by the Commissioner of the Social Security Administration. The parties have now stipulated that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. 15.)

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings. The parties have stipulated that, on remand, the Administrative Law Judge (ALJ) will: (1) explain the weight given to the opinion of Laszlo Sztonak, M.D., that plaintiff could sit for five hours cumulatively in an eight-hour day; (2) reconsider plaintiff's residual functional capacity, including by

01 determining limitations, if any, due to urinary incontinence; (3) re-determine whether plaintiff
02 had past relevant work and whether plaintiff could perform any past relevant work following
03 Social Security Ruling (SSR) 96-8p and SSR 82-62; and (4) reconsider the issue of disability
04 under the sequential evaluation process and issue a new written decision. In addition, the
05 parties agree that the ALJ and plaintiff may raise and pursue additional issues, including any
06 discussed in plaintiff's brief in this case, and that those other aspects of the ALJ's prior decision
07 not specifically addressed here are not specifically affirmed. Also, upon proper application,
08 the Court will consider plaintiff's application for attorney fees and expenses pursuant to 28
09 U.S.C. § 2412.

10 Given the above, the Court recommends that United States District Judge Richard A.
11 Jones immediately approve this Report and Recommendation and order the case REVERSED
12 and REMANDED for further administrative proceedings. A proposed order accompanies this
13 Report and Recommendation.

14 DATED this 20th day of May, 2011.

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17 Mary Alice Theiler
18 United States Magistrate Judge
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